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| 09/731,627      | 12/07/2000  | Carl Phillip Gusler  | AUS920000826US1     | 1065             |

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EXAMINER

CHEUNG, MARY DA ZHI WANG

ART UNIT PAPER NUMBER

3621

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/731,627

Applicant(s)

GUSLER ET AL.

Examiner

Mary Cheung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Status of the Claims***

1. Claims 1-17 are pending. Claims 1-3, 8-11 and 16-17 have been amended.

### ***Information Disclosure Statement***

2. The information disclosure statement filed 3/1/2001 is missing from the file.

Applicant submitted a copy of the Information Disclosure Statement and the post card receipt on April 18, 2003, but no list of any prior art information. Examiner is not able to know what prior art have been listed in the IDS, and should be considered. Re-submission of the prior art and the list of the prior art are requested.

### ***Response to Arguments***

3. Applicant's arguments filed April 18, 2003 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., approve or disapprove charges on an item-by-item basis) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

4. Applicant's all other arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-2, 4, 9-10, 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cross, U. S. Patent 6,144,726 in view of Custy et al., U. S. Patent 5,774,879.

As to claim 1, Cross teaches a method for processing user approvals or disapprovals of charge account transaction, said method comprising (column 2 line 59 – column 3 line 5):

a) Presenting a charge account report to a user on a user display device, said charge account report including a listing of charge transactions which have

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occurred relative to said charge account (column 2 line 59 – column 3 line 5 and column 5 line 57 – column 6 line 18 and Figs. 1, 4);

b) Enabling said user to provide user input to selectively indicate approvals or disapprovals with regard to selected ones of said transactions (column 2 line 59 – column 3 line 5 and column 11 lines 1-14 and Figs. 4-7);

c) Processing said approvals or disapprovals in response to said user input (column 2 line 59 – column 3 line 5 and column 11 lines 1-14 and Figs. 4-7).

Cross does not specifically teach the charge account report is a customized charge account report that generated according to said user's preferences. However, Custy teaches allowing the user to select his or her preferences, and customize the report accordingly (column 3 lines 29-32 and column 5 lines 20-40 and column 15 lines 39-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the charge account report of Cross to be customized according to user's preferences because it would allow the user to better organizing and understanding his or her charge account report.

As to claim 2, Cross teaches said charge account report is transmitted from an account server site to said user display device, and said user approvals or disapprovals are selectively transmitted from said user display device back to said account server site for said processing (Fig. 1).

As to claim 4, Cross teaches said charge account report is made available to said user at an account server site through a network connection (Fig. 1).

Claims 9-10, 12 and 17 are rejected for the similar reasons as claims 1-2 and 4.

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8. Claims 3, 5-8, 11 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cross, U. S. Patent 6,144,726 in view of Custy et al., U. S. Patent 5,774,879 in further view of Bartoli et al., U. S. Patent 6,047,268.

As to claim 3, Cross modified by Custy teaches said account server device is operable in response to receipt of said user approvals or disapprovals (Cross: column 2 line 59 – column 3 line 5 and Fig. 1). Cross modified by Custy does not specifically teach to return an acknowledgement to said user to acknowledge receipt of said user approvals or disapprovals. However, Bartoli teaches return acknowledgement to the user to acknowledge receipt of (Fig. 2B). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the feature of sending acknowledgment to the user for acknowledging information has been received from the user because it would allow the user to know the information has been properly sent to the server.

As to claims 5-7, Cross modified by Custy teaches said charge account report is uploaded from server (Cross: Fig. 1). Cross modified by Custy does not specifically teach the charge account report is transmitted via email. However, Bartoli teaches transmitting account report via email (column 8 lines 7-12 and Fig. 2A-2B). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the feature of transmitted account report via email because it would allow the account information to be fast transmitted between user and server. Furthermore to claim 7, the method of Cross modified by Custy and further modified by Bartoli does not specifically teach the account report is embodied as an attachment. It would have been

obvious to one of ordinary skill in the art to allow the report to be send as an attachment to the user so that the email message and the attachment would be separated so that user can easily review the account report.

As to claim 8, Cross modified by Custy does not specifically teach said charge account report is encrypted prior to sending said email, and being decrypted by said user after receiving it. However, Bartoli teaches encrypting email before sending and decrypting after it received (Fig. 2B). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the feature of encrypting email before sending and decrypting after it received so that the information can be safely transmitted between user and server.

Claims 11 and 13-16 are rejected for the similar reasons as claims 3 and 5-8.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Inquire***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

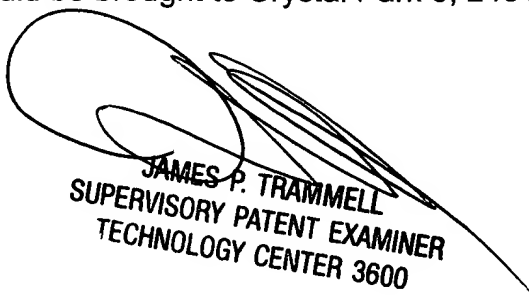
The fax phone number for the organization where this application or proceedings is assigned are as follows:

(703) 305-7687      (Official Communications; including After Final  
Communications labeled "BOX AF")

(703) 746-5619      (Draft Communications)

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, 7<sup>th</sup> Floor Receptionist.

Mary Cheung  
Patent Examiner  
Art Unit 3621  
June 12, 2003

  
JAMES P. TRAMMELL  
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